

ATTORNEYS LISTED ON SIGNATURE PAGE

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

SEGA OF AMERICA DREAMCAST, INC. )  
a California corporation, and SEGA ) Case No. CV 03-05468 SBA  
CORPORATION, a Japanese corporation, )  
Plaintiffs, ) STIPULATION AND ORDER OF  
DISMISSAL

v.

FOX INTERACTIVE, a Unit of FOX )  
FILMED ENTERTAINMENT; FOX )  
FILMED ENTERTAINMENT, a Division of )  
FOX ENTERTAINMENT GROUP, INC., a )  
Delaware corporation, doing business as )  
FOX INTERACTIVE; FOX )  
ENTERTAINMENT, INC., a Delaware )  
corporation; FOX INTERACTIVE, INC., a )  
Delaware corporation; RADICAL GAMES )  
LTD., a Canadian corporation, doing )  
business as RADICAL ENTERTAINMENT, )  
INC.; and ELECTRONIC ARTS, INC., a )  
Delaware corporation; )

Defendants

The parties have entered into a Settlement Agreement to resolve their differences and have agreed to the dismissal of this action with prejudice, as set forth in the Settlement Agreement.

Accordingly, the parties hereby stipulate, through their respective counsel, that this action and all claims asserted therein be dismissed, with prejudice. Each party is to bear its own costs, attorneys' fees and expenses related to this action, with the sole exception that Fox Entertainment Group, Inc. and Fox Interactive, Inc. reserve all rights to seek recovery of their attorneys' fees and expenses from Radical Games Ltd. and Radical Entertainment, Inc.

Respectfully submitted,

Dated: October 12, 2004

SEED IP LAW GROUP PLLC

/s/

\_\_\_\_\_  
William O. Ferron, Jr., *admitted pro hac vice*  
David V. Carlson, *admitted pro hac vice*

GRAY CARY WARE & FREIDENRICH LLP  
Ronald L. Yin  
Mark Fowler

Attorneys for Plaintiffs SEGA OF AMERICA, INC.  
and SEGA CORPORATION

Dated: October 12, 2004

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/

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Thomas H. Zellerbach, Bar no. 154557  
William L. Anthony, Jr., Bar. no. 106,908  
Rory G. Bens, Bar no. 201,674

Attorneys for Defendants RADICAL GAMES, LTD.  
and RADICAL ENTERTAINMENT, INC.

Dated: October 12, 2004

WEIL, GOTSHAL & MANGES LLP

/s/

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Steven J. Rizzi, *admitted pro hac vice*  
Richard A. Simon, *admitted pro hac vice*  
Sarkis Beudjekian, bar no. 173922

Attorneys for Defendants  
FOX ENTERTAINMENT GROUP, INC., FOX  
INTERACTIVE, INC. and ELECTRONICS ARTS INC.

**ORDER**

IT IS SO ORDERED.

DATED October 12, 2004.

s/SAUNDRA BROWN ARMSTRONG  
Judge of the United States District Court

**CERTIFICATION**

I, Thomas H. Zellerbach, am the ECF User whose identification and password are being used to file this Stipulation and [Proposed] Order of Dismissal. In compliance with General Order 45.X.B., I hereby attest that William O. Ferron, Jr. , David V. Carlson, Ronald L. Yin, Mark Fowler, Steven J. Rizzi, Richard A. Simon, and Sarkis Beudjekian.

Dated: October 12, 2004

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/

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